

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**NATHAN CONNOLLY AND SHANI
MOTT**

Plaintiffs

v.

SHANE LANHAM, et al.

Defendants

Case No.: 1:22-cv-02048-SAG

MOTION TO DISMISS

Defendants Shane Lanham and 20/20 Valuations, LLC, by and through undersigned counsel, hereby moves pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiffs' First Amended Complaint (ECF No. 25) for failure to state a claim and for good cause states as follows:

1. This matter arises out of Plaintiffs' allegations of racial discrimination when Defendants performed an appraisal on Plaintiffs' home after Plaintiffs submitted an application to re-finance their mortgage with Co-Defendant loanDepot.com, LLC.

2. The claims and causes of action in the Complaint against Defendants Shane Lanham and 20/20 Valuations, LLC are:¹

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|-----------|--|
| Count I | Violation of the Fair Housing Act, 42 U.S.C. § 3601, <i>et seq.</i> |
| Count III | Violation of the Civil Rights Act of 1866, 42 U.S.C. § 1981 |
| Count IV | Violation of the Civil Rights Act of 1866, 42 U.S.C. § 1982 |
| Count V | Violation of Maryland Fair Housing Laws, Md. Code, State Gov. § 20-702, <i>et seq.</i> |

¹ Count II of the Complaint is for violation of the Equal Credit Opportunity Act, and only applies to Co-Defendant loanDepot.com, LLC.

3. Defendants hereby incorporates by reference the accompanying Memorandum of Law in support of Defendants' Motion to Dismiss, with the same effect as if it were fully restated herein.

WHEREFORE, for the reasons set forth herein, and in the accompanying Memorandum of Law, which is expressly incorporated by reference, Defendants Shane Lanham and 20/20 Valuations, LLC requests that the Court issue an Order dismissing the claims and causes of action against Defendants set forth in Counts I, III, IV, and V of Plaintiffs' First Amended Complaint with prejudice, and the Court issue any and all other relief it deems just and appropriate.

Respectfully submitted,

/s/Gregg E. Viola

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December 2022, copies of the foregoing were served via the Court's ECF system to all counsel of record.

/s/Mark P. Johnson

Mark P. Johnson (Bar # 29091)